



06-07-05

IMAGE

IFW 13

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032
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| | | | |
|--|----|------------------------|----------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/833,017 ✓ |
| | | Filing Date | April 10, 2001 |
| | | First Named Inventor | D. Cvitkovitch |
| | | Art Unit | 1645 |
| | | Examiner Name | P. Baskar |
| Total Number of Pages in This Submission | 24 | Attorney Docket Number | 2224-01301 |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) (19 Sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none">• Response to Notice Regarding Drawings (1 p);• Copy of Notice Regarding Drawings (3 p.); and• Acknowledgement Postcard. |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------|-----------------------|-----------------|
| Firm | CONLEY ROSE, P. C. | |
| Signature | <i>Carol G. Mintz</i> | |
| Printed name | Carol G. Mintz | |
| Date | June 6, 2005 | Reg. No. 38,561 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | |
|--|---------------------------|----------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail" service, "Express Mail" Mailing Label No. EL 967180502 US to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or Printed Name | Janna M. Melasecca | |
| Signature | <i>Janna M. Melasecca</i> | Date June 6, 2005 |

152086.01/2224.01301

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and selection option 2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/833,017
Applicants : Dennis Cvitkovitch et al.
Filed : April 10, 2001
For : Signal Peptides, Nucleic Acid Molecules and
Methods for Treatment of Caries

Confirmation No. 8365

TC/A.U. : 1645
Examiner : Padmavathi Baskar

RESPONSE TO NOTICE REGARDING DRAWINGS

Customer No.: 23505
Atty. Dkt. No.: 2224-01301
(formerly 1889-00401)
Date: June 6, 2005

Attn: Clifton Randolph, Office of Patent Publication
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

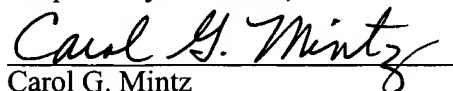
Dear Mr. Randolph:

In response to the *Notice Regarding Drawings* dated May 27, 2005, Applicants enclose herewith 19 sheets of replacement drawings comprising a complete set of the Figures: Figures 1-12. The enclosed sheets are free of extraneous marks and are consecutively numbered. Applicants respectfully submit that the markings complained of by the Printer on the drawing images of record are due to a scanner error in the U.S. Patent and Trademark Office and are not the fault of the Applicant.

The Office appears to have overlooked the corrected drawing sheets filed on April 17, 2003 in reply to the *Draftsperson's Drawing Review* dated September 27, 2001. It is believed that those corrections obviate the requirements noted in the present *Draftsperson's Drawing Review* dated May 27, 2005.

The undersigned gratefully acknowledges the telephone conversation with Mr. Randolph on June 3, 2005 in which it was agreed that a complete set of clean figures would resolve the problem. Accordingly, the present submission is believed to fully comply with the requirements set forth in the *Notice Regarding Drawings*, and all of the figures are thought to be in condition for publication. If any informality in the drawings is deemed to be unresolved, please contact the undersigned right away.

Respectfully submitted,



Carol G. Mintz
Reg. No. 38,561
Conley Rose, P.C.
P. O. Box 3267
Houston, Texas 77253-3267
(713) 238-8000
AGENT FOR APPLICANT

MAY 26 2005

● **PRINTER RUSH** ●
(PTO ASSISTANCE)

COPY

Application : 09/833017 Examiner : Navarro GAU : 1645

From : PAP Location : (IDC) FMF FDC Date : 5/16/05

Tracking # : 06068388 Week Date : 1/24/05



| DOC CODE | DOC DATE | MISCELLANEOUS |
|---|------------------|--|
| <input type="checkbox"/> 1449 | | <input type="checkbox"/> Continuing Data |
| <input type="checkbox"/> IDS | | <input type="checkbox"/> Foreign Priority |
| <input type="checkbox"/> CLM | | <input type="checkbox"/> Document Legibility |
| <input type="checkbox"/> IIFW | | <input type="checkbox"/> Fees |
| <input type="checkbox"/> SRFW | | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> DRW | <u>9/27/2001</u> | |
| <input type="checkbox"/> OATH | | |
| <input type="checkbox"/> 312 | | |
| <input type="checkbox"/> SPEC | | |

[RUSH] MESSAGE: Attention Chief Draft person: Please
supply a new set of drawing sheets A line
traverses all figures due to scanning.

Thank you

[XRUSH] RESPONSE: Write up see attached 945
and 455

INITIALS: CBK

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04



COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---|--|--|---|
| APPLICATION NUMBER 09/833,017 | FILING/RECEIPT DATE 09/27/2001 | FIRST NAMES APPLICANT DENNIS CVITKOVITCH | ATTORNEY DOCKET NUMBER 1889-00401 |
|---|--|--|---|

CONLEY ROSE, P.C.
P.O. BOX 3267
HOUSTON, X 77253-3267

Examiner

BASKAR, PADMAVATH
Art. Unit Paper Number
1645


Date Mailed: 5/27/2005

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b). Failure to take corrective action within the set period will result in abandonment of the application.**

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review
RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Clifton Randolph
Office of Patent Publication,
Publishing Division
703-305-0333 ext-128

COPY

Form PTO-948 (Rev. 06/03)

Application No.

09/833017

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 9/27/01 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
 B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) 2A-11

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or
 21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
☐ Margins not acceptable. Fig(s) _____

☐ Top (T) ☐ Left (L)

☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3).

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☐ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____
☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☐ Numbers and reference characters not plain and legible. Fig(s) _____

☐ Figure legends are poor. Fig(s) _____
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☒ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) A11

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate. Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer

CBK

If you have questions, call (703) 305-8404.

Date

5/27/05

Attachment to Paper No.